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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/290,854	04/13/1999	WINARTO KUSUMO-RAHARDJO	98RSS181	1351
20594	7590	10/06/2006	EXAMINER	
AKIN GUMP STRAUSS HAUER & FELD, LLP P O BOX 688 DALLAS, TX 75313-0688			ROGERS, SCOTT A	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/290,854

Applicant(s)

KUSUMO-RAHARDJO ET AL.

Examiner

Scott A. Rogers

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 8, 9, 16 and 20-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-34 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8, 9, 16 and 20 is/are rejected.
- 7) ☒ Claim(s) 21-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 17 December 2002 and 01 April 2003 have been fully considered but they are not persuasive with respect to previously pending claims 1-16 and 20.

Applicant argues with respect to claim 1, that Ohsawa is not an image classifier as claimed, and specifically that the switch 108 is not a processing circuit. The examiner disagrees. It is clear that circuit 107 performs "image classification" as broadly recited in the claim as circuit 107 identifies the image as being at least one of a first or second image type (character, diagram, photograph). Also, the broadly recited "processing circuit" reads on switch 108 because the selection that is performed by switch 108 in effect results in selection of an image to which one type of thresholding or another type of thresholding has been applied. The claimed "processing circuit" is simply not claimed specifically enough to identify how exactly the thresholding is being applied that would distinguish it from the result achieved by switch 108 in Ohsawa.

Applicant argues with respect to claims 8 and 9, that Ohsawa operates using rows of pixels and therefore fails to disclose that "at least one of the varying characteristics is a pixel characteristic determined using at least one additional pixel characteristic from at least **one additional pixel**". However, the claims call for "at least one additional pixel" and do not limit the choice to one or

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two or three or more pixels, say for example in one line. The claims read on multiple pixels contained on multiple lines of an image, and are therefore anticipated by Ohsawa.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 8-9, 16, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohsawa (US 5732153).

Referring to claims 1 and 16:

Ohsawa discloses an image processing system (Fig. 12) and method (Fig. 14) in a third embodiment, which comprises:

an image classifier or filter (107) that identifies the image as being a photographic image type or a character / diagram image type using varying characteristics of the image such as pixel intensity and differences relative to neighboring pixel values (see col. 7, line 40 to col. 8, line 35); and

a processing circuit (108) that, upon identification of varying characteristics of the image, selectively outputs an image to which a constant

threshold is applied to the image (104), or one of two dynamic thresholding or dithering techniques is applied to the image (105 and 106).

Referring to claim 2:

Ohsawa further discloses performing white edge detection (176) and black edge detection (177).

Referring to claims 8-9 and 20:

Ohsawa discloses that at least one of the varying characteristics is a pixel characteristic (brightness or intensity) determined using at least one additional pixel characteristic from at least one additional pixel. The at least one additional pixel being multiple pixels from multiple lines of the image such as with a 3x3 pixel array. See col. 6, lines 49-50 and col. 7, lines 57-67.

Allowable Subject Matter

Claims 21-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art searched and of record neither anticipates nor suggests in the claimed combinations, the added feature the white edge detector comparing two or more pixels to a single text pixel.

Claims 27-34 are allowed. The prior art searched and of record neither anticipates nor suggests in the claimed combinations, generating an edge detection based on a determination from two test pixel comparators that each compare a test pixel to one or more first and second adjacent pixels.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A Rogers whose telephone number is 571-272-7467. The examiner can normally be reached Monday through Friday 8:00am-5:00pm.

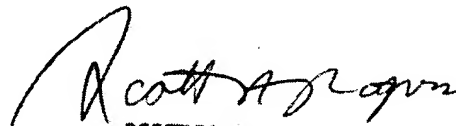
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Moore can be reached at 571-272-7437.

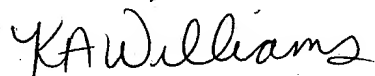
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 Customer Service at 571-272-2600. Official correspondence by facsimile should be sent to 571-273-8300. The USPTO contact Center phone numbers are 800-PTO-9199.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

27 September 2006


SCOTT ROGERS
PRIMARY EXAMINER


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER